

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN**

XINUOS, INC.,

Plaintiff,

vs.

INTERNATIONAL BUSINESS  
MACHINES CORP. and RED HAT,  
INC.,

Defendants.

Civil No. 2021-31

**ORDER**

The parties were before the Court on December 16, 2021 with respect to several outstanding motions. There is a pending motion for change of venue [ECF 41]. Notwithstanding that motion, which is pending before the District Judge, plaintiff wants to have a Rule 16 conference scheduled and to do some limited discovery. [ECF 58]. Defendants oppose that motion and seek to stay the matter until the venue issue is decided. [ECF 60]. The parties discussed these motions, and the Court determined that some additional briefing would be helpful.

Accordingly, the premises considered, it is ORDERED:

1. Defendants may submit additional support for the requested stay, not to exceed 10 pages, on or before January 7, 2022.
2. Plaintiff may respond to that submittal, not to exceed 10 pages, on or before January 12, 2022.

**Dated:** December 17, 2021

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**RUTH MILLER**  
United States Magistrate Judge